

Serial No. 10/532,738
Atty. Doc. No. 2002P16717WOUS

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REMARKS

Claims 8-24 stand rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Claims 8-9, 12-13, 15-17 and 19-24 stand rejected under 35 U.S.C. §102(e) as being anticipated by US patent no. 6,591,272 (hereinafter Williams). Claims 10, 11, 14 and 18 stand rejected 35 U.S.C. §103 as being unpatentable over Williams in view of US patent application publication No. 2003/0225801 (hereinafter Devarakonda). Reconsideration of the rejections and allowance of the pending claims are requested in view of the foregoing amendments and the following remarks.

Claims 1-7 were previously canceled. Claims 8, 21 and 23 have been amended. Thus, claims 8-24 stand pending.

Claims 8, 21 and 23, as amended, recite a tangible result, with real world value. That is, an ability to perform a data exchange between a plurality of distinct software applications. Basis may be found at least in paragraph 4 of the US patent application publication of the present invention. Accordingly, the rejections under 35 U.S.C. §101 should be withdrawn.

MPEP §2131 provides that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference. The identical invention must be shown in as complete detail as contained in the claim. The elements must be arranged as required by the claim.

Claim 8, as amended, is directed to an object-based system for structuring, storing and processing of data from a plurality of distinct software applications. The data comprises hierarchically structured data set objects stored in at least one object database. The data is subject to one or more incompatible data exchange structures in the plurality of distinct software applications. The data is to be exchanged between the plurality of distinct software applications in accordance with a generic object model. Once the data has been modeled in accordance with the generic object model, the data comprises a uniformly understood network of objects with respect to the plurality of distinct software applications. This uniformly understood network of objects is freed of the one or incompatible data exchange structures in the plurality of distinct software applications to enable the data exchange between the plurality of distinct software applications. Basis for the foregoing amendment may be found at least in the following

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paragraphs of the US patent application publication of the present invention: 3, 4, 15, 23, 32, 33, 43, and 44.

Williams is directed to method and apparatus for translating the contents of databases into objects. More particularly, contents of relational databases to an object oriented view. See for example, Williams at: col. 4, lines- 08-45; col. 9, lines 51-53; col. 10, lines 33-36; col. 28, lines 18-23. If anything, Williams teaches away from the claimed invention being that the present invention has nothing to do with translating relational data structures to object data structures. The claimed invention expressly recites data that comprises hierarchically structured data set objects stored in at least one object database, not in a relational database, as required by Williams. Anticipation under 35 U.S.C. §102 requires that "The identical invention must be shown in as complete detail as contained in the ...claim." (Citations omitted) Accordingly, it is submitted that Williams fails to anticipate or otherwise render unpatentable claim 8. At least for the same reasons discussed above, it is felt that Williams also fails to anticipate or otherwise render unpatentable independent claims 21 and 23, and claims respectively depending from such claims.

In connection with the rejection of claims 10, 11, 14 and 18 under 35 U.S.C. §103, it is respectfully submitted that Devarakonda fails to correct the fundamental deficiencies noted above in connection with Williams. Accordingly, Williams and Devarakonda, singly and in combination, fail to constitute *a prima facie* combination for rejecting claims 10, 11, 14 and 18, and thus the rejection claims 10, 11, 14 and 18 under 35 U.S.C. §103 should be withdrawn.

Conclusion


It is respectfully submitted that each of the claims pending in this application recites patentable subject matter and it is further submitted that such claims comply with all statutory requirements and thus each of such claims should be allowed.

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The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including the fees specified in 37 C.F.R. §§ 1.16 (c), 1.17(a)(1) and 1.20(d), or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

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By: 
John P. Musone
Registration No. 44,961
(407) 736-6449

Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
Iselin, New Jersey 08830